

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SIMONE JORDAN,

Plaintiff,

CASE NO. 06-CV-10979

-vs-

PATRICIA CARUSO,
PAUL H. RENICO,
JOHN DOE, TODD PENTRICH,
BEVERLY MURDOCK, and
NEMUS GONZALEZ,

PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

PAUL J. KOMIVES
UNITED STATES MAGISTRATE JUDGE

Defendants.

ORDER

- (1) ACCEPTING THE MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION;**
(2) DIRECTING CLERK TO CORRECT THE CASE CAPTION TO REFLECT THE PROPER SPELLING OF DEFENDANT TODD PENTRICH'S NAME;
(3) DIRECTING THE CLERK TO CORRECT THE CASE CAPTION TO INCLUDE THE FIRST NAME OF DEFENDANT BEVERLY MURDOCK;
(4) DENYING DEFENDANTS' MOTION TO DISMISS

Before the Court is the Magistrate Judge's January 26, 2007 Report and Recommendation (Docket No. 10) on Defendants' June 2, 2006 Motion to Dismiss under Fed. R. Civ. P. 12(b)(6) (Docket No. 5). Neither party has filed timely Objections under 28 U.S.C. § 636(b)(1) and Local Rule 72.1(d)(2).

Having reviewed the Magistrate Judge's conclusions of fact and discussion of the law, the Court hereby:

- (1) **ACCEPTS** the Magistrate Judge's Report and Recommendation;
- (2) **DIRECTS** the Clerk to correct the case caption to reflect the proper spelling of Defendant Todd Pentrich's name and to include Defendant Beverly Murdock's first name; and

(3) **DENIES WITHOUT PREJUDICE** Defendants' Motion to Dismiss.

SO ORDERED.

s/Paul D. Borman

PAUL D. BORMAN

UNITED STATES DISTRICT JUDGE

Dated: March 7, 2007

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on March 7, 2007.

s/Denise Goodine

Case Manager